

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA** \* **CRIMINAL DOCKET NO. 11-93**

**v.** \* **SECTION: “A” (3)**

**TARSHIA MCGARY** \* **VIOLATION: 18 U.S.C. § 286**

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**F A C T U A L   B A S I S**

If this case were to proceed to trial, the government would prove the defendant’s guilt beyond a reasonable doubt through the introduction of admissible evidence and the testimony of competent witnesses. The government would also show that at all times mentioned in the bill of information, the defendant, **TARSHIA MCGARY**, was a resident of the Eastern District of Louisiana, residing in Tickfaw, Louisiana and that the acts described below also occurred in the Eastern District of Louisiana. Specifically, the Government would prove the following:

Beginning on or about November 5, 2005 and continuing until March 27, 2007, the defendant, **TARSHIA MCGARY**, unlawfully, willfully and knowingly conspired with others to obtain or help others obtain refund payments from the Internal Revenue Service to which they were not entitled, by filing and by assisting others in filing, false 2005 and 2006 federal income tax returns.

Witnesses would testify that it was part of the conspiracy that other individuals stole documents from an office building, containing names, dates of birth, and the social security numbers of employees that worked for an agency located within the building. They were in a position to steal the documents, because after Hurricane Katrina, they worked for a company that provided workers to aid in the cleanup. The individuals then brought the documents back to Tickfaw, Louisiana, where they showed it to the defendant, **TARSHIA MCGARY**, and others. **TARSHIA MCGARY**, and the other individuals then discussed filing tax returns in the names of the people on the list, prior to the actual taxpayers filing their own returns.

Testimony would prove that the defendant, **TARSHIA MCGARY**, and others discussed selling names and personal identification, contained within the documents, to be used by others as false dependents on tax returns, and to file tax returns in the names of others, in order to receive the false refunds to which they were not entitled.

Witnesses and documents would prove that it was part of the conspiracy that the defendant, **TARSHIA MCGARY**, and others discussed ways to maximize the tax refunds by preparing these tax returns with fraudulent self-employment income, generally ranging from \$11,000 to \$13,000, and by adding false dependents, in order to achieve the maximum Earned Income Tax Credit, usually generating a refund of approximately \$2600 to \$4500.

Witnesses and documents would prove that it was part of the conspiracy that the defendant, **TARSHIA MCGARY**, and others would open prepaid debit card accounts using the stolen identities so that there would be a place to deposit the fraudulent refunds.

Witnesses would testify that it was part of the conspiracy that the defendant, **TARSHIA MCGARY**, and other individuals after they discussed their plans, would then use their

computers to log onto the Turbo Tax website, in order to file fraudulent tax returns in the names of the employees listed within the documents, for both the 2005 and 2006 tax years.

Witnesses and documents would prove that it was part of the conspiracy that the defendant, **TARSHIA MCGARY**, and others would then direct the Internal Revenue Service to deposit the refunds onto the prepaid debit cards that they had previously opened. Once these returns were filed and refunds processed, **TARSHIA MCGARY** and others directed the debit card company to mail the debit cards to different addresses, including post office boxes, so as to avoid the suspicion that would have accompanied mailing all of the debit cards to one address. Once they received the cards, the defendant, **TARSHIA MCGARY**, and other individuals used the cards to generate cash, as well as to purchase personal items.

Witnesses would testify that it was part of the conspiracy that the defendant, **TARSHIA MCGARY**, would give others names along with identifying information, knowing that the others would prepare fraudulent returns and also receive fraudulent refunds on prepaid debit cards.

Witnesses would testify that it was part of the conspiracy that the defendant, **TARSHIA MCGARY**, stored the documents containing the list of names and identifying information in the bedroom of her home.

Witnesses and documents would prove that as a result of the conspiracy, the United States Treasury was defrauded out of approximately \$80,298.

The above information comes from an investigation conducted by Special Agents of the Internal Revenue Service, numerous records subpoenaed into a federal grand jury, interviews conducted during the investigation, and from statements of **TARSHIA MCGARY**.

In summary, all of the evidence introduced at trial would establish the elements of the offense and prove the defendant's guilt beyond a reasonable doubt.

READ AND APPROVED:

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TARSHIA MCGARY (Date)  
Defendant